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PATENT

#8 12/13/00
Election

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 27 2000.

11/27/00
Date

Gail Wardwell
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON, et al.

Serial No.: 09/558,741

Art Unit: 1644

Filing Date: 26 April 2000

Examiner: T. Cunningham

Title: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is in response to the Office Action mailed September 26, 2000 with a shortened statutory period of one month for response. Accordingly, a Petition and fee for a one-month extension of time accompanies this Response.

The Examiner, in the Restriction Requirement, required election of one of the following groups of claims:

Group I, claim 33, drawn to an isolated polypeptide;

Group II, claims 42, 43 and 50-56, directed to DNA molecules, recombinant vectors, host cells and methods of recombinant production; and

Group III, claim 48, directed to a formulation for targeting an epitope.

Applicants note that claim 48 was canceled in the Second Preliminary Amendment dated July 17, 2000. Thus, the subject matter of Group III is not presently pending.


Applicants hereby elect to prosecute the claims of Group II, claims 42, 43 and 50-56, without traverse. Applicants expressly reserve their right under 35 USC §121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Please direct all further written communications regarding this application to the following address:

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Respectfully submitted,

Date: 11/27/00

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